

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JERRY VANDIVER,

Plaintiff,

v.

Case No. 18-12299

RENNIA FUNCHES, et. al.,

Defendants.

**ORDER GRANTING PLAINTIFF AN EXTENSION OF TIME
TO CORRECT THE COPY DEFICIENCY**

Plaintiff is an inmate currently confined at the Cotton Correctional Facility in Jackson, Michigan. On September 6, 2018 the court partially dismissed his complaint and directed Plaintiff to provide five additional copies of his complaint for service upon Defendants. (Dkt. #10.) Plaintiff was given until October 4, 2018 to comply with the order. (*Id.*)

Plaintiff claims in his recent motions that he sent the service copies to the court on September 19, 2018. (Dkt. #13, 14.) The court has contacted the Clerk's Office, who has been unable to locate the copies of the complaint. The court has also looked in chambers and has been unable to find these copies. It appears that these copies, even if sent by Plaintiff, were never received by the court.

A district court may, in its discretion, grant an additional thirty days from the date of the filing of the extension order to allow a prisoner to correct a deficiency with his pleadings. See *McGore v. Wigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997), *overruled*

on other grounds by LaFountain v. Harry, 716 F.3d 944 (6th Cir. 2013). Plaintiff has shown good cause for an extension of time to correct the deficiency. Accordingly,

IT IS ORDERED that Plaintiff is DIRECTED to submit five additional copies of his complaint for service upon Defendants by November 26, 2018. **The additional copies should be mailed to the United States District Court, Office of the Clerk, 231 W. Lafayette, Room 599, Detroit, Michigan 48226.**

IT IS FURTHER ORDERED that failure to file the documentation by November 26, 2018 will result in dismissal of the action.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 26, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 26, 2018, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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